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13   **UNITED STATES DISTRICT COURT**

14   **SOUTHERN DISTRICT OF CALIFORNIA**

15

16 LARRY SHERMAN, INDIVIDUALLY
   AND AS SUCCESSOR-IN-INTEREST OF
17 THE ESTATE OF JUDITH SHERMAN,   **Cause No.** 3:13-cv-02603-AJB-MDD
   DECEASED
18   **PROOF OF SERVICE**

19   Plaintiff,

20 v.   JURY TRIAL DEMANDED

21 AMYLIN PHARMACEUTICALS, LLC
22 F/K/A AMYLIN PHARMACEUTICALS,
   INC., AND ELI LILLY AND COMPANY,
23 and DOES 1-100

24
           Defendants.
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PROOF OF SERVICE

<u>Certificate of Service</u>

I, John P. Fiske, declare that I am over the age of eighteen years and not a party to the case; I am employed with the law firm of Gomez Trial Attorneys in the County of San Diego, California where the mailing occurs; and my business address is: 655 West Broadway, Suite 1700, San Diego, California 92101.

On October 23, 2014, I served the following document(s):

1. **DECLARATION OF PROPOSED INTERIM ESTATE REPRESENTATIVE (TESTATE DECEDENT)**

2. **DEATH CERTIFICATE**

[ ]   (BY MAIL) I served the individual named by placing the documents in a sealed envelope. I then placed it for collection and mailing with the United States Postal Service this same day, at my address shown above, following ordinary business practices.

[ ]   (BY EMAIL) Pursuant to agreement between the parties, I served the above listed documents by transmitting via email to the internet address listed above. I did not receive within a reasonable period of time after the transmission any electronic message or other indication that the transmission was unsuccessful.

[ ]   (BY FAX) On_____, I transmitted the above-described document by facsimile machine to the listed fax number. The transmission originated from facsimile phone number (619) 237-3496 and was reported as complete and without error. The facsimile machine properly issued a transmission report, a copy of which is attached hereto. [CCP section 1013(e); CRC Rule

- 2 -

2008].

[ ]   (BY OVERNIGHT DELIVERY) I caused the envelope(s) to be delivered overnight via an overnight delivery service in lieu of delivery by mail to the addressee(s). [CCP section 1013]

[ ]   (BY PERSONAL SERVICE)   American Messenger Service served the individual named by personally delivering the copies to the offices of the addressee.

[X] (BY CM/ECF System) I hereby certify that on the below date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail notice list, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice list (if any).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 23, 2014 at San Diego, California.

_____/s/ John P. Fiske_____
John P. Fiske

- 3 -